

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Consolidated Matters of:

PARENT ON BEHALF OF STUDENT,

OAH CASE NO. 2015010247

v.

TORRANCE UNIFIED SCHOOL DISTRICT,

TORRANCE UNIFIED SCHOOL DISTRICT,

OAH CASE NO. 2014100743

v.

PARENT ON BEHALF OF STUDENT.

ORDER GRANTING/DENYING
REQUEST FOR CONTINUANCE AND
SETTING MEDIATION, PREHEARING
CONFERENCE AND DUE PROCESS
HEARING

On February 5, 2015, the parties jointly filed a request to continue the hearing dates in this matter. District's case was filed on October 22, 2014, and consolidated with Student's case on January 12, 2015. As part of the order granting consolidation, Student's request to continue the hearing dates in its case was granted and the dates in District's case were vacated. The continued hearing date in the consolidated cases is April 7, 2015.

A due process hearing must be conducted and a decision rendered within 45 days of receipt of the due process notice unless an extension is granted for good cause. (34 C.F.R. § 300.515(a) & (c) (2006); Ed. Code, §§ 56502, subd. (f), 56505, subd. (f)(3); Cal. Code Regs., tit. 1, § 1020.) As a result, continuances are disfavored. Good cause may include the unavailability of a party, counsel, or an essential witness due to death, illness or other excusable circumstances; substitution of an attorney when the substitution is required in the interests of justice; a party's excused inability to obtain essential testimony or other material evidence despite diligent efforts; or another significant, unanticipated change in the status of the case as a result of which the case is not ready for hearing. (See Cal. Rules of Court, rule 3.1332(c).) OAH considers all relevant facts and circumstances, including the proximity of the hearing date; previous continuances or delays; the length of continuance requested; the availability of other means to address the problem giving rise to the request; prejudice to a party or witness as a result of a continuance; the impact of granting a continuance on other pending hearings; whether trial counsel is engaged in another trial; whether the parties have

stipulated to a continuance; whether the interests of justice are served by the continuance; and any other relevant fact or circumstance. (See Cal. Rules of Court, rule 3.1332(d).)

OAH has reviewed the request for good cause and considered all relevant facts and circumstances. The request is:

☒ Granted. All dates are vacated. Because granting a continuance will extend District's case to more than six months after District's complaint was filed, and will result in Student's case being heard more than 90 days after the original hearing date set in Student's case, OAH does not contemplate granting any further continuances in this matter absent a showing of substantial good cause.

This matter will be set as follows:

Mediation:	April 29, 2015 at 9:30 AM
Prehearing Conference:	May 8, 2015 at 3:00 PM
Due Process Hearing:	May 19, 2015 at 9:30 a.m., May 20 and 21, 2015 at 9:00 a.m., and continuing day to day, Monday through Thursday, as needed at the discretion of the Administrative Law Judge.

IT IS SO ORDERED.

DATE: February 5, 2015

/s/

ADRIENNE L. KRIKORIAN
Administrative Law Judge
Office of Administrative Hearings